

Docket No. 56238 (71526)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: M. Sakanaka, et al.

Examiner: D. Khare

Serial No. 09/913,669

Group: 1623

Filed: August 16, 2001

For: CEREBROVASCULAR REGENERATION/RECONSTRUCTION-PROMOTING  
AGENTS AND SECONDARY NERVOUS TISSUE DEGENERATION-  
INHIBITING AGENTS COMPRISING GINSENOSEIDE RBl

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

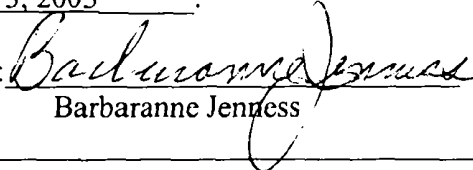
Sir:

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 3, 2003.

By:

  
Barbaranne Jenness

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INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

a.   X   Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

III. CONCISE EXPLANATION OF THE RELEVANCE  
(check at least one box)

a.   X   Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report dated September 1, 2003, a copy of which is attached hereto (concise explanation not required).

b.            A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:

c.            The following additional information is provided for the Examiner's consideration:

FEES

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)  
(check one box)

a.        within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.

b.        within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.

c.        before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):  
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

a.        No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

or

- b.   X   See the certification below. No fee is required.

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e)

(check only one box)

The undersigned hereby certified that

a.   x   each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

b.        no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

c.        Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(d)

       after the mailing date of a Final Rejection or Notice of Allowance but before the payment of the Issue Fee, and the requisite Certification, petition, and petition fee are included herein.

a.        after the mailing date of a Final Office Action under 37 C.F.R. § 1.113

b.        see certificate above

c.        a fee in the amount of \$180.00 is required by 37 CFR § 1.17(p)

d.        applicant hereby petitions that this Information Disclosure Statement is considered in accordance with 37 C.F.R. § 1.97(d).

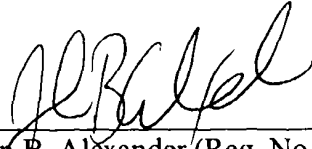
Enclosed is a check in the amount of \$180.00 for the above-indicated fee. Should any further fee be associated with the submission of this Information Disclosure Statement, the Commissioner is authorized to charge our Deposit Account No. 04-1105.

  x   No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition, if necessary) and charge the appropriate fee to Deposit Account No. 04-1105.

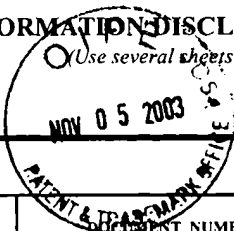
Respectfully submitted,

Date November 3, 2003

  
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# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



Docket Number (Optional)

56238 (71526)

Application Number

09/913,669

Applicant(s)

M. Sakanaka, et al.

Filing Date

8/16/02

Group Art Unit

1623

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,708,949	11/24/87	Liu			

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	BA	EP 1 142 903 A1	10/10/02	PCT			✓	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	CA	Gonzalez-Garcia, Maribel, et al. , "Bcl-x is expressed in embryonic and postnatal neural tissues and functions to prevent neuronal cell death", Proceedings of the National Academy of Sciences, Vol. 92, No. 10, pgs. 4304-4308, May 1995

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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Europäisch s  
Pat ntamt

Zweigstelle  
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Recherchen-  
abteilung

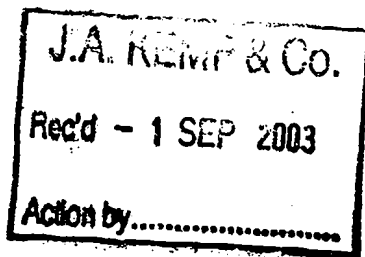
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Datum/Date

01.09.03

Zeichen/Ref./Réf.

N.83160 TAC

Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°.

99973693.7-2123-JP9906804

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire

Japan Science and Technology Corporation

## COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

☒ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

## REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





European Patent  
Office

**SUPPLEMENTARY  
EUROPEAN SEARCH REPORT**

Application Number  
EP 99 97 3693

**DOCUMENTS CONSIDERED TO BE RELEVANT**

Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.CI.7)
E,D	EP 1 142 903 A (JAPAN SCIENCE & TECH CORP) 10 October 2001 (2001-10-10) claim 1, 8; '0105!; '0033! ----	1-14	A61K31/704 A61K45/00 A61P25/00 A61P43/00 G01N33/15 G01N33/50 //C07J17:00
A	GONZALEZ-GARCIA MARIBEL ET AL: "Bcl-x is expressed in embryonic and postnatal neural tissues and functions to prevent neuronal cell death." PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF THE UNITED STATES, vol. 92, no. 10, 1995, pages 4304-4308, XP002251602 1995 ISSN: 0027-8424 page 4306-4308, paragraph entitled "Discussion" -----	1-17	
A	US 4 708 949 A (LIU YAGUANG) 24 November 1987 (1987-11-24) claim 4, 11 -----	1-17	
			TECHNICAL FIELDS SEARCHED (Int.CI.7)
			A61K
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			

Place of search

MUNICH

Date of completion of the search

19 August 2003

Examiner

Borst, M

**CATEGORY OF CITED DOCUMENTS**

X: particularly relevant if taken alone  
Y: particularly relevant if combined with another  
document of the same category  
A: technological background  
O: non-written disclosure  
P: intermediate document

T: theory or principle underlying the invention  
E: earlier patent document, but published on, or  
after the filing date  
D: document cited in the application  
L: document cited for other reasons  
-----  
&: member of the same patent family, corresponding  
document

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 99 97 3693

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on  
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

19-08-2003

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
EP 1142903	A	10-10-2001	JP	2000191539 A	11-07-2000
			EP	1142903 A1	10-10-2001
			CN	1331698 T	16-01-2002
			WO	0037481 A1	29-06-2000
			US	2002002141 A1	03-01-2002
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US 4708949	A	24-11-1987	US	4795742 A	03-01-1989
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